

ORDINANCE NO. 20060608-062

AN ORDINANCE AMENDING CHAPTER 2-1, ARTICLE 9, OF THE CITY CODE RELATING TO THE AUSTIN TELECOMMUNICATIONS COMMISSION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council amends Chapter 2-1 (*Boards and Commissions*), Article 9, of the City Code relating to the Austin Telecommunications Commission to read as follows:

ARTICLE 9. AUSTIN COMMUNITY TECHNOLOGY AND TELECOMMUNICATIONS COMMISSION.

§ 2-1-91 PURPOSE AND INTENT.

- (A) It is the purpose and intent of the city council to create the Austin Community Technology and Telecommunications Commission to advise [~~serve as an advisory commission to~~] the city council on telecommunications and community technology issues, [~~and~~] to promote technology availability and access in the community [~~the use of public access~~], and to serve as a coordinating body for issues relating to the provision of various [~~different~~] communication [~~telecommunications~~] services.
- (B) Community technology includes information, communications technology training, and access that promotes civic and cultural participation, employment, and life-long learning.
- (C) [~~(B)~~] Telecommunications services includes all transmission of voice, data, or video by means of permanent facilities installed in the City's rights-of-way or by means of radio transmission.
- (D) [~~(C)~~] It is the specific purpose and intent of the city council that the Austin Community Technology and Telecommunications Commission shall not possess any sovereign authority regarding any cable television or cable related telecommunications issue and that the commission serve in an advisory capacity only.

§ 2-1-92 CREATION AND COMPOSITION.

- (A) There is created and established the Austin Community Technology and Telecommunications Commission. Membership shall consist of nine resident citizens of the City appointed by the city council, each of whom shall have voting power. At the effective date of appointment each member must have continuously resided within the city for not less than 180 days. Membership shall be broadly representative of community interests.
- (B) Members are appointed for staggered terms of two years. The city council will appoint five members in odd-numbered years and four [~~five~~] members in even-numbered years.
- (C) The commission shall annually elect from among its membership a chair to preside over its meetings, serve as liaison to the city council, and perform other duties as the membership shall vote to assign.
- (D) The commission may create from within its membership other offices with the titles, duties and terms as it may deem proper.
- (E) The commission may create committees of the number, duties and terms as it deems proper, committee memberships may include a minority of persons not members of the commission without vote.

§ 2-1-93 PROCEDURES.

- (A) The Austin Community Technology and Telecommunications Commission shall meet no less than once each month and more frequently as may be determined by the commission [~~Telecommunications Commission~~].
- (B) A quorum of the commission [~~Telecommunications Commission~~] shall consist of a majority of active members in good standing.
- (C) Vacancies in an unexpired term shall be filled by the council for the remainder of the term.
- (D) The commission [~~Telecommunications Commission~~] shall establish rules and regulations for commission procedures.

§ 2-1-94 DUTIES.

(A) The Austin Community Technology and Telecommunications Commission shall advise the city council regarding [telecommunications] issues including, but not limited to, the following areas:

- (1) new sources of funding for access television projects;
- (2) new sources of funding for community technology projects,
- (3) ~~[(2)]~~ allocation of annual financial support; and
- (4) ~~[(3)]~~ the evaluation of the performance of franchise holders, access television contractors, and other community technology contractors, including development of criteria to be used for evaluations.

(B) The commission ~~[Austin Telecommunications Commission]~~ shall conduct public hearings regarding, but not limited to, the following areas:

- (1) the performance of franchise holders, access television contractors, and other community technology contractors; and
- (2) the identification of community cable, telecommunications, and technology needs.

(C) The commission ~~[Austin Telecommunications Commission]~~ shall promote access to telecommunications services and community technologies by methods including:

- (1) public awareness, use, and viewership of access television programming and other community media;
- (2) identifying community technology needs and problems in the City and defining innovative programming approaches to those needs and problems; and
- (3) public awareness of telecommunications policy and community technology issues.

(D) The commission ~~[Austin Telecommunications Commission]~~ shall serve as a coordinating forum for issues relating to the provision of every different type of

telecommunications services and community technologies, by receiving reports and recommendations from other City commissions and from City departments, and forwarding these to the city council.

PART 2. This ordinance takes effect on June 19, 2006.

PASSED AND APPROVED

_____ June 8 _____, 2006

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk